

CITY OF BELMONT
PLANNING COMMISSION

ACTION MINUTES

TUESDAY, SEPTEMBER 4, 2007, 7:00 PM

Chair Parsons called the meeting to order at 7:00 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, Frautschi, Horton, Mayer, McKenzie, Mercer, Wozniak
Commissioners Absent: None

Staff Present: Community Development Director de Melo (CDD), Senior Planner DiDonato (SP), Contract Planner Ouse (CP), City Attorney Zafferano (CA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR

4A. MINUTES OF AUGUST 7, 2007

MOTION: By Vice Chair Frautschi, seconded by Commissioner Mayer, to accept the Minutes of August 7, 2007, with grammar corrections as requested previously by Vice Chair Frautschi.

Ayes: Frautschi, Mayer, Horton, McKenzie, Mercer, Wozniak, Parsons

Noes: None

Motion passed 7/0

5. PUBLIC HEARINGS

5A. PUBLIC HEARING – 2119 Cipriani Boulevard

To consider a request for Single-Family Design Review of an 871-square-foot addition (including 419 square feet on the ground floor and 452 square feet on the second floor) to an existing 1,872-square-foot single-story house with a basement/garage. The resulting total of 2,743 square feet is below the maximum of 3,500 square feet.

(Appl. No. PA 2007-0031)

APN 044-012-350; Zoned: R-1B (Single-family residential)

CEQA Status: Categorical Exemption per Section 15301
Applicant/Owner: Daniel and Leeann Toporek
Project Planner: Leslie Hopper (650) 522-2519

CDD de Melo summarized the staff report, recommending approval. Responding to questions from the Commission, he clarified that the height of the building is 27'3", and that the landscape changed consist of shrub improvements to complement the remodeled entrance.

Mark Lindsell, project architect, described the project, noting that they had not planned to make any changes to the deck in back except to repair the roof. CDD de Melo explained that staff has been unable to confirm that the deck is legal or conforms to the 15' setback requirement, and would have to be dealt with prior to issuance of a building permit. Dan Toporek, owner, presented pictures to indicate that the balcony awnings and doors were in style in the 1940's to 1960's, and that removing it would change the feel of the living room.

Chair Parsons opened the Public Hearing.

Jeannie Heannen stated that she is the next door neighbor who is probably the only person who sees the deck, noting that she bought her home in 1998 and the deck was there a long time before that. She feels that the proposed project will be a great addition to the neighborhood, the fixing of the roof would make the place look better, and she did not see any issue with leaving the deck as is.

Steve Albert, Belmont neighbor, spoke in support of the application and appreciated the efforts made by the applicant and architect to keep him informed of the progress.

MOTION: By Vice Chair Frautschi, seconded by Commissioner Horton, to close the Public Hearing. Motion passed 7/0 by voice vote.

After discussion and reconsideration of code, CDD de Melo felt that the deck area in question appears to be an interior lot line and may not be subject to the setback requirement. He asked for latitude to allow staff to confirm this issue with the applicant prior to building permit issuance. Commissioner Mercer pointed that on the Project Data chart on page 5 of the staff report the rear is mistakenly called "west" and should be called "east," which is the interior of the lot.

Commissioner McKenzie suggested that they assure that the deck is structurally sound. The applicant agreed that they would work on that prior to completion of the project.

Commissioner Mercer asked that staff carefully document what landscaping is there with the provision that it be replaced in the event it suffers from the construction.

Vice Chair Frautschi concurred, and requested that a photographic record be made to document the current landscaping.

Commissioner Mayer suggested that the yard needed tidying up and that they make sure the irrigation is covering the entire lot because it looked to him like many of the plantings are in pretty sad shape.

Chair Parsons stated for the record that there was consensus that the Commission did not have a problem with the existing deck or the front porch since they have probably been there since the beginning of the house and could be retained.

MOTION: By Commissioner McKenzie, amended by Commissioner Mercer and seconded by Commissioner Wozniak, to adopt the Resolution approving the Single-Family Design Review at 2129 Cipriani Blvd., (Appl. PA2007-0031) with the elimination of the requirement in Planning Division Condition 1 that the non-conforming covered porch along the rear be removed, and with the additional condition that the existing landscaping be photo-documented.

Ayes: McKenzie, Wozniak, Horton, Mayer, Mercer, Frautschi, Parsons
Noes: None

Motion passed 7/0

Chair Parsons stated that this item may be appealed to the City Council within 10 calendar days.

5B. PUBLIC HEARING – 1511 Sixth Avenue

To consider a request for a Single Family Design Review of a new 3,135 square-foot dwelling on an existing vacant lot where a maximum of 3,161 square feet would be permitted for this property.

(Appl. No. PA 2007-0040)

APN: 045-254-240; Zoned: R-1C (Single-family residential)

CEQA Status: Categorical Exemption per Section 15301

Applicant/Owner: Steve Kellond, AIA

Project Planner: Jennifer Walker, (650) 595-7453

SP DiDonato summarized the staff report, recommending approval subject to the conditions attached.

Responding to Vice Chair Frautschi's question, SP DiDonato stated that Public Works will determine if the applicant will be required to put a sidewalk on the Sixth Street portion of the property.

Commissioner Mercer noted that there are three trees that are underneath what is going to be the garage and driveway that are not mentioned as being scheduled for removal. SP DiDonato agreed to look through the plans in more detail but his assumption was that they are below the threshold for a significant tree. He will look into the omission.

Responding to Commissioner Mercer's comment, SP DiDonato agreed to correct the reference to a flag person on "San Juan Blvd." in condition 6 of page 2 in the final version of the Conditions of Approval, and to add the results of the applicant's outreach program to the file record.

Steve Kellond, applicant/architect, gave background information and a brief description of the project, noting that since this has always been a vacant lot they were sensitive to the understanding of the neighbors and that neighborhood outreach was an important component in their planning. They held a block party that was well received. He answered questions from the Commission regarding orientation of the garage, tree selection, and the outdoor gas fireplace. He stated that he had discussed the addition of a sidewalk on with the Public Works Department, and was advised that putting in a sidewalk would be voluntary and, with respect to the existing Redwood tree, they preferred to leave it the way it is. The asphalt pan would be removed.

Chair Parsons opened the Public Hearing.

Barry Monstertiger, Belmont resident up the hill from the proposed property, was in the neighborhood during the outreach, is supportive of the plans and felt it would be a great addition to the neighborhood.

MOTION: By Vice Chair Frautschi, seconded by Commissioner Mayer, to close the Public Hearing. Motion passed 7/0 by voice vote.

Vice Chair Frautschi stated that the proposed house is his favorite architectural style and felt that it will add uniqueness to the Sunnyslope neighborhood. He made the following suggestions for the applicant to consider: 1) Addition of some varieties of palms and ferns in their private area spaces; 2) Angle the house 1½ to 2' to increase view potential from the dining room and kitchen; 3) Use of cobbles, terracotta pavers or a colored pressed concrete for the driveway; 4) Consideration of the impact of the bay window in the kitchen harmonizing with the architectural style – not a pure Spanish design element. He concluded that this is the loveliest design he has ever seen for the Sunnyslope area and perhaps one of the top five in all of Belmont.

Commissioner Wozniak commented that she particularly liked the inclusion of a bike storage room.

All Commissioners agreed that the design is a good fit for the neighborhood. Chair Parsons confirmed with staff that if the applicant chooses to rotate the house to take advantage of the view, they could do so without bringing it back to the Commission by allowing for that in the Planning Division Condition 1 of the Conditions of Approval.

MOTION: By Vice Chair Frautschi, seconded by Commissioner McKenzie, to adopt the Resolution approving a Single-Family Design Review for 1511 Sixth Avenue (Appl. 2007-0040) with Exhibit A, Conditions of Project Approval. If the owner chooses with their architect to do a slight shift in the orientation of the house to take advantage of the view through the dining room and kitchen area, a slight change in Planning Division Condition 1 may be approved by the Director of Community Development.

Ayes: Frautschi, McKenzie, Horton, Mayer Mercer, Wozniak, Parsons
Noes: None

Motion passed 7/0

Chair Parsons stated that this item may be appealed to the City Council within 10 calendar days.

5C. PUBLIC HEARING – 1000 O’Neill Avenue

To consider a request for a Conditional Use Permit to establish a Detailed Development Plan, Design Review, Tree Removal Permit, Certificate of Appropriateness, Grading Plan and a Parcel Map (Lot Merger) to allow the relocation and rehabilitation of the historic Emmett House from a location at 843 Ralston Avenue to a vacant site at the northwest corner of O’Neill and Sixth Avenue. Site improvements also include construction of a two-car detached garage, landscaping and abandonment of portions of Sixth and O’Neill Avenue excess right-of-way to provide additional land area on the project site. Belmont Creek meanders through the north half of the site.

Current Zoning: (PD) Planned Development

APN: 045-181-230, 260, & 280; CEQA Status: Mitigated Negative Declaration

Applicant/Owner: City of Belmont

Project Planner: Andrea Ouse, (650) 333-3973

CP Ouse summarized the staff report utilizing a Power Point presentation and photos, recommending approval of the Conditional Use Permit with associated Detailed Development Plan, Design Review Permit, Grading Plan, Parcel Map, Tree Removal Permit and Certificate of Appropriateness for the relocation and rehabilitation of the Emmett House. She noted that the reference to a four-car detached garage on Page 1 of the staff report is an error; there is no four-car garage – it is a two-car garage as is referenced throughout the rest of the staff report. She noted that the colors could be much different than the ones on the hard copy being passed around, as they were approved by the Planning Commission many years ago and may not be historically accurate.

Commissioner Wozniak asked for clarification of the historic landmark finding. Staff read from Section 7-187(a) as follows: “The proposed alteration retains the original exterior appearance of the landmark and its immediate setting, including the use of compatible architecture and materials to the maximum extent feasible.”

Responding to questions, CP Ouse stated that a study of the historic colors had not been conducted and the proposed fencing style is consistent with historic photos of the original Emmett House.

CDD de Melo stated that the Design Review relative to colors, interior of the building, fencing, and landscape modifications could be brought back to the Commission at a later date, but that in order to get the house moved and in place before the rainy season in late October, the Parcel Map, Grading Plan, Certificate of Appropriateness, CUP to establish the DDP and Tree Removal Permit need to be finalized at this meeting.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Vice Chair Frautschi, seconded by Commissioner Horton, to close the Public Hearing. Motion passed 7/0 by voice vote.

Mike Garavalia, project architect, stated that the color of the house was established when he first started working on the project. He felt it was a historically appropriate color scheme and reasonable for the zone where the house is being located. The fence design takes the fence from the left side of the property to the creek and would be 3' high. The existing wood fence along the side property line would remain. CP Ouse pointed out that the landscape plans show the fence and plantings along the West side.

Responding to questions about when the color scheme was approved, CP Ouse noted that in February 2002 the Redevelopment Agency directed staff to prepare a plan to relocate the Emmett House, but she will search archived files to determine when and by whom the color scheme was approved. She added that the Commission is not obligated to follow that scheme.

It was pointed out that Goal 2006.6 on page 15 of the staff report no longer applies.

Commissioner Mercer expressed mixed feelings about the project. She noted that this is being called a historic structure but the basis for it being listed as a historic resource is because of the person who lived in it and nothing about the quality of the structure as being historic in itself. It was a country property with country surroundings that is now going to be relocated on a city corner. She does not believe that there is any architectural significance about it except that it is cute and quaint and in the old style. Her other issue is that the Commission is not being asked in any way to rule on the appropriateness of the use of the building. She can concur with using the site for the building and using the building for multi-family residential, but she wanted it clear for the record that she did not believe that low-income housing is an appropriate use of the building. She believed it is fabulous that the City is providing low-income housing but the structure and its property are going to be very high maintenance. A low-income family will not be able to repaint, reroof and maintain the landscaping, and for that reason she did not believe it an appropriate use of the house.

Vice Chair Frautschi thanked Commissioner Mercer for helping him find a reason to vote for the Certificate of Appropriateness. He felt that the best thing about the project is the garage, and the second best thing is that some people put a value on the community saving something they value. He hoped that somewhere in the future landscaping they will add some Oak or other heritage trees to replace the Eucalyptus and Palm Tree and would like to see the Palm tree moved approximately 15 feet. He will have some comments about the interior design when they get to that discussion.

Commissioner Horton noted that there have been years and years of deliberation on this project, and it is now appropriate for the Commission to approve it. She has issues with the way the interiors are laid out having to do with wasted space and maintenance and noise issues and felt that the colors jarring and the house is too big for those colors in that neighborhood. She would like to move forward with everything except for the Design Review, assuming it incorporates the landscaping, the interiors of the building and the exterior finishes.

Commissioner Wozniak concurred with Commissioner Horton. She added that the discussions she had heard about the use of the house was not low-income housing but rather low-to-moderate, and the idea at one point was to offer it to City employees and teachers first. She

added that the definition of moderate income is \$90,000 a year, so it is not poverty level. She could make the findings for the Certificate of Appropriateness but would like to consider the paint, the landscaping, the fence and the interior at another time.

Commissioner Mayer thought it had already been decided that it would be a condominium. If it is a condominium there are association fees and contractual responsibilities that the owners would have which would seem to be an important element of whatever they decide. He agreed with what had been said before.

Chair Parsons concurred with everything that had been said. He added that as a Planning Commission they do not deal with the economics of things, but he believed this a terrible economic burden on the City; a decision has been made by Council and the Redevelopment Agency and so they should move ahead. As to the proposed project impacting the historic character of the Emmett House, he did not believe the house will ever qualify for the National Register but it is a significant house and he could vote for the Certificate of Appropriateness. He too had major concerns with the interior layout and some problems with the sidewalks and the landscaping, which can be worked out in the Design Review.

Commissioner McKenzie concurred with Commissioners Horton and Wozniak. This project has been in the making for 17 years and has been developed and reviewed and re-reviewed by various agencies and Commissions of the City of Belmont and, with the exception of continuing Design Review, he felt the project is done.

Responding to Commissioner Mercer's question, CP Ouse stated that relocating the Palm tree would not make room to move the house without cutting down the Eucalyptus trees.

MOTION: By Commissioner Frautschi, seconded by Commissioner McKenzie, to adopt the Resolution approving a Conditional Use Permit and Associated Detailed Development Plan, Parcel Map, Grading Plan, Tree Removal Permit and Certificate of Appropriateness for the relocation and rehabilitation of a designated historic landmark (Emmett House) from 843 Ralston Avenue to 1000 O'Neill Avenue (Appl. No. 06-0090) with Exhibit A, Conditions of Project of Approval, with the understanding that Design Review will be continued and be brought back to the Commission at a date uncertain.

Ayes: Frautschi, McKenzie, Horton, Mayer, Mercer, Wozniak, Parsons

Noes: None

Motion passed 7/0

Chair Parsons stated that this item may be appealed to the City Council within 10 calendar days.

Chair Parsons asked for discussion on the Design Review phase of the project in order to give guidance to staff.

Commissioners commented as followed:

Vice Chair Frautschi:

- Strange to walk through the closet to get to the bathroom.
- Wasted space in the downstairs bathroom and only one sink where there were two in the other bathroom.
- Kitchen sink in the interior of the room rather than near a window,
- Half wall between kitchen and dining room in one unit seemed like added expense and waste of space.

Chair Parsons:

- Wants to see an intersection plan that shows the full intersection at Sixth Avenue and O'Neill to see how the sidewalks work on the four corners.
- Fencing doesn't appear to be particularly authentic to that era of house.
- Plumbing coming up through the walls all over the house; doesn't seem to be any thought given to the actual sensibility and economics of construction.
- Second bathroom on first floor is very small; wasted space in hall.
- Asked if an office, for example, could be added. CP Ouse responded that the RDA direction was that there could only be 2-bedroom units.

Commissioner Mercer:

- Wants to see a more appropriate fence for the downtown area – the house is no longer in the country and the fence is no longer appropriate for the surroundings.
- Regarding the color, General Plan and design guidelines say “to avoid strong and jarring colors.
- Concurred with Chair Parsons regarding floor and sidewalk concerns.

Commissioner McKenzie:

- No issues with the detailed floor plan or the fencing, considering the constraints they have to work with.

Commissioner Horton:

- Wasted space all over the place. Master bathroom with one sink, pocket door instead of a swinging door, etc. Crossover plumbing is a maintenance nightmare.

CDD de Melo stated that staff will go through the issues and meet with the architect.

Architect Garavalia noted that they had originally designed a four-unit project that worked well but it was scaled back due to neighborhood input and the RDA. The building has generous space for a 2-unit building. Also, they were trying to move as few walls as possible primarily because they are load-bearing; if they start moving interior walls they will be spending a lot more money. They looked for ways to leave existing walls in their original places. Some of the layouts are driven to some degree because they were trying to work within the existing structure. There are some minor revisions that could be made along these lines but the fact that it is a two-unit building is part of the problem; the four-unit building worked a lot better for the site. The rooms are too big for one room but not big enough for two rooms. The building was added on to in multi phases – bearing walls occur where one would not expect them to be. They had considered moving major weight-bearing walls and decided that would not be cost effective. He could see

that they could change the hall bath by going to a compartmentalized toilet and shower in one space and the sink area on the other side instead of having the larger scale hall. The color scheme can be muted down and he would be happy to go into a historical analysis if that is the City's choice.

6. REPORTS, STUDIES AND UPDATES:

CDD de Melo reported as follows:

A. NDNU (Koret) Athletic Field

Neighborhood meetings are scheduled and staff continues to work with NDNU and the neighbors to coordinate those meetings.

B. Avanti Pizza Commercial Center – 2040 Ralston Avenue

He had a draft landscape plan in front of him, which included more lawn area, less shrubs, and two new 15-gallon trees. He will be working with the landscaping architect on potential changes and should have a plan before the Commission within about 30 days.

C. US 101/ Marine Parkway Landscaping Project

He had some potential times to meet with the CalTrans landscape architect and will be coordinating this with Chair Parsons, Commissioner Mayer and the Director of Public Works to set up a meeting.

D. U-Haul – 530 El Camino Real

Original Redwood tree had died without watering and it looked like there was a new tree being installed that day.

E. Motel 6 – 1101 Shoreway Road

He believed the Police Department had recently met with the motel's security personnel and he will check to see what the call volume has been. The City is actively working on this economic development site.

RS Flores noted for the record that the **November 6th meeting has been changed to Wednesday, November 7th and that the January 1st meeting has been cancelled.**

Regarding the **trees on the streets on both sides of the Safeway**, Chair Parsons asked that staff contact the appropriate parties to have the entire inner rings of the grids around the trees taken out.

Vice Chair Frautschi announced that he will be asking Council to consider an Item 9 for lighting lumination standard maximums. Something has happened over the last couple of weeks in the single-family area where people have replaced lighting that wasn't originally there. Neighbors have been complaining and have called Code Enforcement, but there are no standards to deal with the issues.

Vice Chair Frautschi notified staff that he planned to come by the office to obtain a **copy of the Notre Dame Elementary School CUP and all related material.**

Commissioner McKenzie asked for information on the planned **Economic Development Bus Tour** scheduled for Saturday, September 15th. CDD de Melo stated that it will leave City Hall between 8:30 and 9:00 a.m., all members of all City commissions as well as neighborhood associations have been invited, and they will visit potential downtown sites in San Mateo, Burlingame, Millbrae, Palo Alto, San Carlos and Redwood City.

It was announced that a **San Mateo County Workshop on Housing Elements** is scheduled for Friday, September 21.

7. CITY COUNCIL MEETING OF TUESDAY, SEPTEMBER 11, 2007

Liaison: Commissioner Mercer
Alternate Liaison: Vice Chair Frautschi

8. ADJOURNMENT:

The meeting was adjourned at 9:12 p.m. to a regular meeting on Tuesday, September 18, 2007, at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

*CD's of Planning Commission Meetings are available in the
Community Development Department.
Please call (650) 595-7416 to schedule an appointment.*